

EXHIBIT C

In the Matter Of:

NEW ENGLAND COMPOUNDING PHARMACY INC. PRODUCTS LIABILITY

VIDEOTAPED DEPOSITION OF KIM BROCKMEYER

August 19, 2016



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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MASSACHUSETTS

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IN RE: NEW ENGLAND :
COMPOUNDING PHARMACY, INC. :
PRODUCTS LIABILITY LITIGATION: MDL NO. 2419
:
This Documents Relates to: : Master Docket
: 1:13-md-02419-RWZ
All Cases against the Box :
Hill Defendants :
:
-----X

VIDEOTAPED DEPOSITION OF
KIM BROCKMEYER

FRIDAY, AUGUST 19, 2016
10:08 a.m.

Peter G. Angelos, P.C.
One Charles Center
100 N. Charles Street
20th Floor
Baltimore, MD 21201

Before: Linda Bahur, RPR



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A P P E A R A N C E S

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ON BEHALF OF THE WITNESS KIM BROCKMEYER, R.N.;

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1 ON BEHALF OF BOX HILL SURGERY CENTER, RITU BHAMMBHANI,
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I N D E X

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E X H I B I T S

(Attached to the transcript)

NO.		PAGE
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P R O C E E D I N G S

THE VIDEOGRAPHER: We are now going on record. This is videotape number one in the videotaped deposition of Kim Brockmeyer, taken in the matter of New England Compounding Pharmacy, Inc. Product Liability Litigation. This deposition is being held at Peter J. Angelos, 1 Charles Center, 100 North Charles Street, Baltimore, Maryland, 21201 on August 19, 2016 at 10:08 a.m. My name is Charlie Widner and I'm the videographer. The court reporter is Linda Bahur.

Counsel will please introduce themselves for the record.

MS. KASPUTYS: I'm Patricia Kasputys and I am here for the plaintiffs. Law Offices of Peter Angelos, representing Armetta, Bowman, Davis, Dreisch, Farthing, Kashi, Torb -- and Torbeck.

MS. HOUSTON: I'm Sharon Houston, Law Offices of Peter Angelos, representing the plaintiffs.

MR. COREN: Good morning, Ms. Brockmeyer. I'm Michael Coren. I represent the plaintiffs from the PSC as well as Megan Handy, who is a plaintiff in a Maryland action.

MR. KIRBY: Greg Kirby. I represent Box Hill Surgery Center, Ritu Bhambhani, M.D. and Ritu Bhambhani, M.D., LLC. Although Ms. Brockmeyer is represented by



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1 counsel, who will identify them themselves in a second,
2 to the extent that their questions that relate to her
3 employment or her time at Box Hill Surgery Center, I'll
4 also assert attorney-client relationship and instruct
5 the witness as appropriate.

6 MS. MARUCCI: Ashley Marucci with Eccleston
7 and Wolf, here on behalf of the deponent, Kim
8 Brockmeyer.

9 MR. KRAUSE: Scott Krause, also here on
10 behalf of Ms. Brockmeyer.

11 THE VIDEOGRAPHER: Will the court reporter
12 please swear in the witness, and we can proceed.
13 Whereupon --

14 KIM BROCKMEYER,
15 having been first duly sworn, was examined and testified
16 as follows:

17 EXAMINATION BY MS. KASPUTYS:

18 Q Good morning, Ms. Brockmeyer. And I'd like
19 you to first tell me whether you've been known by any
20 other names. Is your name Kim Brockmeyer?

21 A Yes.

22 Q Do you have a maiden name?

23 A I do.

24 Q And what is that?

25 A Kim Grose, G-R-O-S-E.



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1 Q And an Amended Notice of Deposition Duces
2 Tecum, which has also attached to it documents,
3 including a Third Amended Confidentiality Order?

4 A Yes, ma'am.

5 Q Have you read these documents?

6 A Yes, ma'am.

7 Q I'm going to hand to you what will be marked
8 as 1586 in this deposition, and I would ask you to take
9 a look at the last two pages of the documents.

10 And do you all have copies or do you need us
11 to hand them to you?

12 MR. KRAUSE: We have copies.

13 (Exhibit No. 1586 was marked for
14 identification.)

15 Q And I would ask you to please look at Exhibit
16 A.

17 MR. KRAUSE: Love to.

18 Q Okay. I am asking that you sign that
19 document, please.

20 A Yes.

21 MR. KRAUSE: August 19.

22 Q Now, within the document -- I'll ask you to
23 hold onto it for a few minutes, please. On page 7 of 7,
24 so if you look at the top, you can find that. There is
25 an Attachment A entitled "Documents Sought" and I have



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1 been advised by Ms. Marucci asking as your -- acting as
2 your counsel for purposes of this deposition, that you
3 do you not have any documents that are responsive to
4 these requests. Is that accurate?

5 A Yes, ma'am.

6 Q Did you do any search for any documents
7 responsive to this request?

8 A No, ma'am.

9 Q And you, obviously, then, have not brought
10 any such documents that are on this list --

11 A No.

12 Q -- to this deposition? Thank you.

13 What did you do to prepare for this
14 deposition?

15 A I just talked with counsel. Met with them
16 and went over the case just as far as what was being
17 asked of me and just tried to recollect as much as
18 possible when I started at Box Hill and when I have been
19 working at the Harford County Surgery Center as well.

20 Q Okay. When you indicate that you met with
21 counsel, are you referring to Mr. Krause and Ms.
22 Marucci?

23 A Yes.

24 Q Have you also had any meetings with Mr. Kirby
25 to prepare for this deposition?



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1 STATE OF MARYLAND)

2 COUNTY OF HARFORD)

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5 I, Linda Bahur, a Notary Public of the State of
6 Maryland, do hereby certify that the deposition of KIM
7 BROCKMYER, RN, took place before me at the time and
8 place herein set out.

9 I further certify that the proceeding was
10 recorded stenographically by me and this transcript is a
11 true record of the proceedings.

12 I further certify that I am not of counsel to
13 any of the parties, nor an employee of counsel, nor
14 related to any of the parties, nor in any way interested
15 in the outcome of this action.

16

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Linda M. Bahur

Linda M. Bahur

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My commission expires 8/27/2019

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Dated: August 30, 2016



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